

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TONY KOLE, individually and as President
and Manager of Ghost Industries, LLC, and
GHOST INDUSTRIES, LLC, an Illinois
limited liability company,

Plaintiffs,

v.

VILLAGE OF NORRIDGE, an Illinois
municipal corporation, RONALD A.
OPPEDISANO, individually and as President
of the Village of Norridge, JAMES J. JOBE,
Chief of Police of the Village of Norridge,
JUDITH D. BERNARDI, Clerk of Village of
Norridge, URSULA A. KUCHARSKI,
DENNIS H. STEFANOWICZ, DOMINIC
SULIMOWSKI, DOMINIC S. FALAGARIO,
JACQUELINE GREGORIO, AND ROBERT
MARTWICK, individually and as Trustee of
the Village of the Norridge and MARK V.
CHESTER, individually and as Village
Attorney of the Village of Norridge,

Defendants.

No. 11-CV-03871

Hon. Charles R. Norgle, Sr.
U.S. District Judge

Hon. Morton Denlow
U.S. Magistrate Judge

DEFENDANTS' MOTION TO DISMISS AMENDED COMPLAINT

NOW COME Defendants, by their counsel, and move this Court pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and in support of that motion states the following:

1. Plaintiffs have filed an eighteen-count Amended Complaint challenging the defendants' licensing and regulation of plaintiffs' weapons sales business within the Village of Norridge.

2. For all of the reasons set forth in Defendants' Memorandum of Law in Support of Motion to Dismiss, the Amended Complaint fails to state a claim upon which relief could be granted and should be dismissed.

WHEREFORE, Defendants pray that this Court dismiss Plaintiffs' Amended Complaint.

/s/ Thomas G. DiCianni

Thomas G. DiCianni (ARDC #03127041)
tdicianni@ancelglink.com

ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHEFER, P.C.

Attorney for Defendants

140 South Dearborn Street, 6th Floor
Chicago, Illinois 60603
(312) 782-7606
(312) 782-0943 Fax

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VILLAGE OF NORRIDGE, an Illinois municipal corporation, RONALD A. OPPEDISANO, individually and as President of the Village of Norridge, JAMES J. JOBE, Chief of Police of the Village of Norridge, JUDITH D. BERNARDI, Clerk of Village of Norridge, URSULA A. KUCHARSKI, DENNIS H. STEFANOWICZ, DOMINIC SULIMOWSKI, DOMINIC S. FALAGARIO, JACQUELINE GREGORIO, AND ROBERT MARTWICK, individually and as Trustee of the Village of the Norridge and MARK V. CHESTER, individually and as Village Attorney of the Village of Norridge,

Defendants.

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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys of record herein, hereby certifies that on September 27, 2011, the foregoing **DEFENDANTS' MOTION TO DISMISS AMENDED COMPLAINT** was electronically filed with the Clerk of the U.S. District Court using the CM/ECF System, which will send notification of such filing to the following:

Walter Peter Maksym , Jr.
2056 North Lincoln Avenue
Chicago, IL 60614-4525
Email: wmaksym@gmail.com

/s/ Thomas G. DiCianni

THOMAS G. DiCIANNI, (ARDC# 03127041)

One of the attorneys for Defendants

ANCEL, GLINK, DIAMOND, BUSH, DICCIANNI
& KRAFTHEFER, P.C.

140 South Dearborn Street, Sixth Floor

Chicago, Illinois 60603

Telephone: (312) 782-7606

Facsimile: (312) 782-0943

E-Mail: tdicianni@ancelglink.com

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